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ATTORNEY WORK PRODUCT—PRIVILEGED AND CONFIDENTIAL

January 13, 2014

Dr. D. Malcom Spica, Ph.D.
Spica Psychology, PLLC
220 Fort Sanders West Blvd.
Medical Office Building 2, Suite 300
Knoxville, TN 37922

VIA UNITED STATES MAIL and
E-MAIL, mspica@ameritech.net

RE: Lynn D'Avanzo v. Copper Cellar Corporation
United States District Court for the Eastern District of Tennessee
Docket No. 3:12-cv-00655
Client: 4726.4

Dear Dr. Spica:

Thank you for agreeing to provide your expert opinion and to serve as an expert witness on behalf of our client, the Copper Cellar Corporation in the above-referenced matter, which is set to go to trial at 9:00 a.m. on May 5, 2014. As we discussed during our call this afternoon, my Firm wishes to retain you as an expert witness to assist us in preparing for trial and to testify at trial about your professional opinion. I appreciate your willingness to analyze the enclosed documents, to develop a professional opinion regarding this case, and testify about this opinion at trial. The Court's deadline for us to submit our expert witness report is **January 23, 2014**.

For these services rendered, it is my understanding that you have agreed to charge an initial fee of \$2,300.00 which will cover any time spent reviewing and analyzing the Plaintiff's medical records and the report provided by Plaintiff's counsel from Ms. Sandra Byrd, MSN, FNP, and drafting an expert report pursuant to Rule 26(a)(2) of the Federal Rules of Civil Procedure. It is my understanding that this initial fee does not include performing an in-personal evaluation of the Plaintiff or any fee for testifying in a deposition or at trial. It is also my understanding that, should such evaluation or testimony be required, you will charge your standard hourly rate of \$300 per hour. If my understanding on this matter is incorrect, please let me know as soon as possible so we can clarify any misunderstanding.

I am enclosing the following documents for your review:

1. Medical Records of the Plaintiff, Lynn D'Avanzo

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January 13, 2014

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2. The Expert Report of Sandra Byrd, MSN, FNP
3. Correspondence from Plaintiff's Counsel, Mr. Michael Shipwash, providing additional information about Ms. Byrd
4. Excerpts from Plaintiff's deposition testimony in which she testifies about her emotional and psychological damages.

Thank you once again for your time and work on this matter. If you have any questions, comments or concerns, please do not hesitate to contact me. I look forward to working with you further.

Sincerely,

EGERTON, McAFEE, ARMISTEAD
& DAVIS, P.C.

By:


Melissa B. Carrasco

MBC:mbc
Enclosure(s)

cc: Mr. Nicholas J. Chase, Esq., via e-mail
Mr. Rick Eldridge, via e-mail

EGERTON, McAFEE, ARMISTEAD & DAVIS, P.C. OPERATING ACCOUNT: 00100592

100592

To: Spica Psychology, PLLC

Date 01/13/2014

Check Total: \$2,300.00

Invoice No.	Invoice Date	Clt-Mttr	Atty	EXP	Description	GL Account	Amount
4726.4 MBC	01/13/2014	004726-00004		11	Expert Fees	1120000	2,300.00

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OPERATING ACCOUNT

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01/13/2014

AMOUNT

\$2,300.00

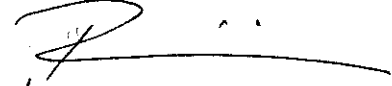
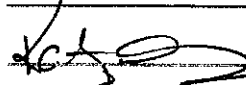
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ORDER

OF

Spica Psychology, PLLC
Attn: Dr. D. Malcolm Spica, Ph. D.
220 Fort Sanders West Blvd.
MOB 2, Suite 300
Knoxville, TN 37922

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SECURITY FEATURES INCLUDED. DETAILS ON BACK.

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D. M A L C O L M S P I C A, P H. D.
Licensed Clinical Psychologist
Neuropsychologist

INVOICE

4/9/2014

Melissa B. Carrasco
Egerton, McAfee, Armistead & Davis, P.C.
900 South Gay Street
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Case: D'Avanzo v. Copper Cellar Corporation
Docket No.: 3:12-cv-00655
Provider: D. Malcolm Spica, Ph.D.

DATE OF SERVICE	PROCEDURE	UNITS		FEE
4/7/2014	Team meeting	1.50	hours @ \$300.00	\$ 450.00
4/8/2014	Record review	5.25		\$ 1,575.00
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -

Amount Due	=	\$ 2,025.00
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Provider: D. Malcolm Spica, Ph.D.
Licensed Clinical Psychologist



Tennessee License #: 2558

Please remit payment to: Spica Psychology, PLLC
220 Fort Sanders West Boulevard
Medical Office Building 2, Suite 300
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